

(IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
TEXAS – DALLAS DIVISION)

LACHICA KING

PLAINTIFF,

V.

CACHE, INC.

DEFENDANT.

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3:11-CV-0138

JURY TRIAL DEMANDED

**PLAINTIFF’S MOTION FOR EXTENSION OF TIME TO FILE RESPONSE
TO DEFENDANT’S MOTION FOR SUMMARY JUDGMENT, OR
ALTERNATIVELY, TO FILE CORRECTED BRIEF**

Plaintiff LaChica King moves the Court to for an extension of time (out of time) to file her Response to Defendant’s Motion for Summary Judgment until January 24, 2011, or alternatively, that the corrected brief attached to this motion as Ex. A be filed in place of the timely filed brief.

In support of this motion, Mr. Kerr would show as follows:

1. Currently pending before the Court is Defendant’s Motion for Summary Judgment filed December 22, 2011, and Plaintiff’s response is due January 12, 2012.
2. The Court previously granted an extension to January 23, 2012.
3. Plaintiff requests this relief to add the omitted Table of Authorities, Table of Contents, Citations to Appendix and to correct scrivener’s errors. These errors occurred because counsel miscalculated the time it takes to prepare these items and did not leave enough time, although she worked very hard to do so, for her assistant to complete the tasks.

Certificate of Conference

4. On January 23, 2012, at about 2 p.m., defendant's counsel, Ms. Cheryl Kirby was contacted in connection with this motion and she stated that the motion is opposed because of the prior ten day extension

5. This motion is filed in the interests of justice and not for delay.

Respectfully submitted,

s/ N. Sue Allen
N. Sue Allen, SBOT 00791992
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Attorney for LaChica King

CERTIFICATE OF SERVICE

I certify that a true copy of this document was served on the following counsel of record via the Court's ECF filing system.

Mr. Reece L. Harrison
Ms. Cheryl Kirby
Oppenheimer, Blend, Harrison & Tate
711 Navarro, Sixth Floor
San Antonio, Texas 78205

s/ N. Sue Allen
N. Sue Allen